

REMARKS

This amendment responds to Office Action of January 7, 2009. There the Examiner rejected claims 12-14 under 35 U.S.C. 112, second paragraph, as being indefinite. This response amends claims 12-14 to clarify the steps involved in each claim.

Next, the Examiner rejected claims 7 and 9-14 under 35 U.S.C. 103(a). The amendment moves an element from claim 9 into independent claim 7, and similarly an element from claim 13 into independent claim 10, providing that “the lipid ingredient is selected from the group consisting of: Distearoylphosphatidyl choline, Dipalmitoyl Phosphatidyl Choline, Poloxamer, Dimyristoyl Phosphatidyl-choline, and mixtures thereof.” None of the prior art cited by the examiner discloses such a limitation. This change does not raise new issues because claim 9 and 13 previously contained this limitation, however the members of Yolk lecithin and Nonionic Surfactant Brij are removed from the group that was provided in the previous version of claims 9 and 13. Moreover, the new claims 15-22 are supported by prior claims 10-14.

The applicant requests that the Examiner enter this amendment because the amendment puts the application in condition for allowance as provided in 37 CFR 1.116(b)(1). The applicant request that the Examiner withdraw the rejection of claims 7 and 9-14 and allow the application.

Respectfully submitted,
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